IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1250 of 2005

Between:

R.P. Purandhar, S/o. R.P. Veeranna Setty,
Cocoanut Shop, River Road, Mantralayam, Kurnool District.

..... PETITIONER

AND

1 The Superintendent of Police, Kurnool, Kurnool District.
2 Inspector of Police, Yemmiganur, Kurnool District.
3 Sub-Inspector of Police, Mantralayam P.S., Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in interfering with the civil disputes against the petitioner to recover money on behalf of 3rd parties as illegal, arbitrary and un-authorised. Further order the respondents not to harass the petitioner under the guise of recovery of money and declare that police shall not interfere in the private civil disputes except in accordance with law pass such other order or orders.

Counsel for the Petitioner:MR.P.SRINIVASULU

Counsel for the Respondents No.1 to 3: GP FOR HOME

The Court at the stage of admission made the following ORDER:

The petitioner claims that he is being required to attend the police station at Mantralayam and being pressurized to settle his civil disputes with the third parties. He submits that there are no complaints against him in any of the police stations and despite the same, respondents 2 and 3 are requiring him to attend the police station.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The police can require a citizen to attend the police station for the purpose of enquiry, only when a specific complaint is registered against him. The persons unconnected with any offence can be examined during the course of investigation into any crime. There does not exist any justification for any police official to require the citizen to attend the police station indiscriminately. Such a course would encroach upon the civil rights of the individuals.

Hence, the writ petition is disposed of directing that respondents 2 and 3 shall not require the petitioner to attend the police station, except where any specific complaint is received against him and a case is registered under the relevant provisions of law. They are also restrained from pressurizing the petitioner to settle any disputes with the third parties. There shall be no order as to costs.

08.02.2005

Note:

Issue CC by 09.02.2005.

(BO)

ksld

To

1 The Superintendent of Police, Kurnool, Kurnool District.
2 Inspector of Police, Yemmiganur, Kurnool District.
3 Sub-Inspector of Police, Mantralayam P.S., Kurnool District.

4 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT).

5 Two CD copies.